

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

**MEETING OF SEPTEMBER 8, 2010
SOUTH LAKE TAHOE, CALIFORNIA**

ITEM: 3

SUBJECT: PUBLIC HEARING FOR (A) PROPOSED AMENDMENTS TO THE WATER QUALITY CONTROL PLAN FOR THE LAHONTAN REGION TO INCORPORATE THE LAKE TAHOE TOTAL MAXIMUM DAILY LOAD FOR SEDIMENT AND NUTRIENTS AND (B) DRAFT SUBSTITUTE ENVIRONMENTAL DOCUMENTS

ISSUES AND DISCUSSION: Water Board staff released the draft Lake Tahoe TMDL Report and proposed Basin Plan amendments for public comment on July 9, 2010. Water Board staff have asked that written comments be submitted no later than September 10, 2010. Staff will provide written responses to comments received on or before September 10, 2010.

Staff plan to bring the Lake Tahoe TMDL before the Water Board for adoption at its regularly scheduled meeting in November 2010 and plan to work with implementation stakeholders to update NPDES Municipal Stormwater Permits by Fall 2011.

Basin Plan Amendment

Does the Lake Tahoe TMDL-related scientific research support the proposed Basin Plan amendments? Specifically, do the research findings support shifting the Water Board's municipal stormwater regulatory approach from concentration-based numeric effluent limits for runoff discharges to required reductions in average annual pollutant loads for urban stormwater runoff?

For additional detail, see enclosure 1 - Proposed Basin Plan Amendment Issues and Rationale.

Load Allocations

The proposed Basin Plan amendment (enclosure 2) includes a table of pollutant load allocations that include 5-year load allocations for four major pollutant source categories identified by the Lake Tahoe TMDL: Forest Uplands, Urban Uplands, Atmospheric Deposition, and Stream Channel Erosion.

Do the data used to evaluate the sources of pollutants causing Lake Tahoe's deep water transparency loss and the analysis of load reduction opportunities support the proposed distribution of pollutant load allocations?

The pollutant load allocations are described in Chapter 10 of Enclosure 3 – Lake Tahoe Total Maximum Daily Load Report.

Environmental Analysis

The Water Board is the Lead Agency responsible for evaluating potential environmental impacts of the proposed Basin Plan amendment. Under the provisions of California Public Resources Code section 21080.5, the state's Secretary for Resources has certified the regulatory programs of state agencies as exempt from the requirements of preparing environmental impact reports and related documents, if the Secretary finds that the program meets the criteria specified in that section of the code. The Basin Planning process of the Water Boards is certified as such a program as described and listed in CEQA Guidelines section 15251 (g). In accordance with the Guidelines, documents supporting the Lake Tahoe TMDL comprise the required Substitute Environmental Documentation.

Does the Regulatory Analysis described in Chapter 16 of the enclosed Lake Tahoe Total Maximum Daily Load Report (enclosure 3), and the associated documents provide adequate environmental analysis pursuant to CEQA requirements?

Implementation Timeframe

The proposed Basin Plan amendment includes an implementation schedule for achieving the pollutant load reductions needed to restore Lake Tahoe's deep water transparency. The schedule requires load reductions to achieve the Clarity Challenge (77- 80 feet of measured Secchi depth transparency) within the first 15 years of TMDL implementation and load reductions to meet the clarity standard within 65 years.

Considering the load reduction opportunity analysis findings and associated cost estimates, is the proposed implementation schedule appropriate? Should Water Board staff consider additional alternatives, such as a shorter or longer TMDL implementation schedule?

RECOMMENDA-

TION:

No Action. This item is a Public Hearing. The Water Board may provide direction to staff.

Enclosures: 1. [Proposed Basin Plan Amendment Issues and Rationale](#)
2. [Proposed Basin Plan Amendment](#)
3. [Lake Tahoe Total Maximum Daily Load Report](#)